

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

KONINKLIJKE PHILIPS N.V.,)
Plaintiff,)
v.) C.A. No. 20-1713 (CFC)
THALES DIS AIS USA, LLC;)
THALES DIS AIS DEUTSCHLAND)
GMBH, THALES USA, INC.,)
THALES S.A., CALAMP CORP.,)
XIRGO TECHNOLOGIES, LLC, and)
LAIRD CONNECTIVITY, INC.)
Defendants.)
THALES DIS AIS USA, LLC and)
THALES DIS AIS DEUTSCHLAND)
GMBH)
Counterclaim-Plaintiffs)
v.)
KONINKLIJKE PHILIPS N.V. and)
PHILIPS RS NORTH AMERICA LLC,)
Counterclaim-Defendants.)

NOTICE OF FINAL RESOLUTION IN RELATED ITC CASE

Pursuant to the Court's August 20, 2021 Order (D.I. 103), Defendants Thales DIS AIS USA, LLC, Thales DIS Deutschland GmbH, Thales USA, Inc.,¹

¹ Defendant Thales S.A. has moved to dismiss for lack of personal jurisdiction. (C.A. No. 20-1713, D.I. 55).

CalAmp Corp., Xirgo Technologies, LLC, and Laird Connectivity, Inc. hereby provide notice that the ITC affirmed the Final Initial Determination's finding of no violation of Section 337 with respect to each of Philips's asserted patents in the ITC investigation, which are the same patents at issue in the instant case before the Court. That investigation, *Certain UMTS and LTE Cellular Communication Modules and Products Containing the Same*, Investigation No. 337-TA-1240, is terminated and the deadline for any appeal has passed.

Specifically, the Commission adopted the ALJ's determination that "(1) the asserted claims of the '935 patent, the '711 patent, the '943 patent, and the '271 patent are not infringed; (2) Philips did not satisfy the technical prong of the domestic industry requirement with respect to any of the four asserted patents; (3) claim 9 of the '711 patent and claim 12 of the '943 patent are invalid as indefinite; and (4) the asserted claims of the '271 patent are invalid as indefinite and for lack of written description." *Certain UMTS and LTE Cellular Communication Modules and Products Containing the Same*, Inv. No. 337-TA-1240, Comm'n Det. at 3 (July 7, 2022). With a finding of no violation by any respondent in that investigation (and any defendant in the instant related case), the Commission terminated the investigation. *See* Fed. Reg. v. 87, No. 132 (July 12, 2022). Philips did not appeal. *See* 19 U.S.C. § 1337(c) (providing a 60 day window for appeal). Thus, the parallel ITC investigation is fully resolved in the defendants' favor.

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CERTIFICATE OF SERVICE

I hereby certify that on October 21, 2022, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on October 21, 2022, upon the following in the manner indicated:

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